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GENERAL AND REVENUE SECRETARIAT

1900–11
(Munpl)

File No. 383–10

Serial Nos. 448

Papers Filed.

Month July 1911

SUBJECT

Sale of building sites in the township of Dalhousie

PREVIOUS REFERENCES	LATER REFERENCES
	Ryl 69–114 85 63, 69, 128, 133, 147 & 148 Sept 1916

G.R.S. 11] 1910-94

GENERAL AND REVENUE SECRETARIAT

(Rev.)

NOTES.

383-10

File No. 1910

FILE HEADING.

Sale of building sites in the town of Davangere.

From

The Dy. Comr., Chitaldrug Dt.

No. 495 Dated 6 6 1911 Received 9. 6 1911

Diary No. 7919 | Enclos 1 folio Spare Copies - | Serial No. 4

BRIEF ABSTRACT OF LETTER.

States that a portion of the site No 59 measuring 3977 1/2 sq. yds and the entire site No 264 measuring 2376 sq. yds in Davangere town were sold by public auction and the highest bids received were Rs 620/- and 150/- respectively and requests sanction to the grant of the sites to the highest bidders and solicits instructions as to whether NOTES AND ORDERS contain the procedure to be followed in the disposal of sites there being no provision in the Rules & Regns under section 197 (78) of the Land Rev. Code not applying to Municipal Towns

Site No 59 was sold after giving due notice of the sale, and site No 264 without any such previous notice but only at

Notes—First sheet

GPB—15,000—24-4-09

at the request of those present at the sale of vide no 5 q. Further, the sale was conducted on the 30th May 1910 and a fourth of the amount of the highest bid in each case was deposited by the auction purchasers that very day the balance of the amounts however was credited to the Treasury not on the 14th June 1910 (which was the 15th day from the date of sale) but on the 21st Idem This delay in payment no doubt entails forfeiture of the deposit amount and resale of the sale under section 181 of the Land Rev. Code and the rule which is framed in accordance therewith There being no correspondence previous in the Jumbo Regn, the Dy Comr requests sanction to the sales being confirmed and solicits instructions as to the procedure to be followed with regard to future sales of similar titles

2 The points for orders are these —

(1) Whether the sales held may be confirmed or

(2) What procedure should be followed in the case of future sales of the sale

3 As regards the 1st point. I

NOTE— Contn sheet

GPE—1000—12 8 10

S.
General and Revenue
Secretariat

h6 File No 383 of 1910

Serial No

Only a portion of Kube No 59 that was by auction & this portion measures 3977 1/3 Sq: yds The highest offer received at the sale is Rs 620 which works out to about 2½ annas per Sq: yd The Municipal Council's resolution was that the sale might be held subject to the upset price of four annas per Sq: yd The offer is therefore very low. The Dy Collr Considers that the lone offer is Consistent with the estimation of the sale. In this Connection, it is submitted that one Bheemappa Bondade has petitioned to Govt that he had applied to the Dy Collr in April 911 (ie about 4 months after the date of sale) for this site offering to pay Rs 1000/- more than the highest bid offered at the time of auction The Dy Collr does not make mention of this fact. The delay on the part of the auction-purchaser in payment of the full amount of his bid within the time fixed in the sale notice has been referred to above. His explanation is that when he came to the Cutcherry with money on the 4th June the Treasury had been closed & that the following days were holidays on account of the Muhr...

625-9/10 (with this)

Note— Contn sheet

GPS—50,000 12-10

Serial No.

the Yuvaraja. Regard being had to the fact that Bhumabha Bondada has if at all, offered a higher price after a long interval of time and the Revd. Officers are inclined to overlook the irregularity in payment on the part of the auction-purchaser, it is for consideration whether the sale may be confirmed in this case. The other site for 2½ cots on that day is reported to be a filled ground and there is no Contention about it either. The sale for Rs 150/- may, it is submitted, be confirmed.

6 With reference to the 2nd point, it is submitted that in almost every case of sale of Inam properties, due notice of the Conditions and date of sale are given to the public, and these Conditions are identical with the provisions of the Land Revd: Code Sects. 174 et seq. Besides, the provisions of the Land Revenue Code are well unfamiliar to the residents of the Inam Municipalities which were only recently Constituted as Municipalities under the Land Revenue Code. In these circumstances, it is respectfully submitted that

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[illegible] and Revenue
Secretariat.

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No.

in the absence of specific provisions in the Municipal Regulations about the conduct of sale, the provisions of the Land Revenue Code may with advantage be adopted by inserting them in the sale notices as has been done in the case of sale No. 59 and is being done elsewhere.

Submitted for orders

Asst Secy
26/6/11

5 The sales may be sanctioned.

6 As regards the procedure to be adopted in conducting sales, the general procedure in conducting revenue sales may be prescribed.

7 There are no provisions in the Municipal Regulations similar to those in the Land Revenue Code regarding forfeiture of the deposit &c - It is a question whether such powers can be summarily exercised by a Municipal Council without statutory authority for the same - The sale may be held subject to conditions but these conditions can be enforced only in a legal manner - The amendment

[illegible] - Contin[illegible]

[illegible] 1910

File No. 383 of 1940

Journal No.

of the Land Revenue Rules in regard to building sites suggested in ... file will perhaps afford some solution for these -

Secy) 1 7-11

The sales of these sites may be confirmed. In regard to procedure, the Municipal Council may be called to frame bye-laws under (b) of Sec 45 in regard to such sales - the rules under the Act may be usefully followed in framing the bye-laws -

Please submit draft orders for ...

Draft orders submitted.

21/7/41 1st Cir 21-7-11

approved

25/7/41

Issue

25-7-11

To The Dy Com: Coimbatore
No 900 dt 29.7.11

Confirming the sales of the two house sites to the two highest bidders viz Kankadara & Sivanandam & directs that in regard to the procedure to be followed in the matter of the sales of municipal sites the Municipal Council may frame bye-laws under Section (45) of the Municipalities Act

Turn over Contn sheet

No 901-7 H(29-7)
Inward extract of Letter 2
Dt 8th Comrs of 86.

9/6 100

From The Deputy Comm. of P
Mufti Chitral Cordon Sd.

To The Secretary to Govt
Genl & Rev Dept
Mansehra

Dated
Despatched 6 June 1911
Received
General No 495
No

Enclosure No 6

Selecting sanctum
to the grant of a certain
Site for Dawaneh
to one Swamiah &

Office of the President of
Municipalities
Chitaldroog District

No. 79/9

No 382-10/864 Dated 6 June 1911

From

K Chandy Esqure B A
President of Municipalities
Chitaldroog District

To

C S Balasundaram Iyer Esqure B A
Offg. Secretary to the Government of His
Highness The Maharaja of Mysore
General and Revenue Departments
Bangalore

Sir,

In Submitting herewith vernacular correspondence ending with Davangere Sub Division, Senior Assistant Commissioner's yadi No 1341 dated 13th April 1911, I have the honour to state that one Subbannah, Sub Agent of Rally Brothers' Company at Davangere applied for Site No 59 measuring 4205⅓ Sq yards in Mandipet in Davangere town for constructing a building. Out of this Site, an extent of 228 Sq yards has been

been reserved for being granted to the mussalmans of the Davangere town for the benefit of the masjid in exchange for their land acquired in 1906, for opening out a road as recommended in this office letter No. 496 dated 6 June 16 & resolved by the Municipal Board

2 The remaining extent of land, 3977 1/3 Sq. yards, was put up to auction in accordance with the resolution of the municipal council and was knocked down for Rs 620/- to one Kanva Karthappa who was the highest bidder The price realized comes up to 0-2-6 a Sq. yard, while the prevailing rate is 0-4-0 per Sq yard Taking into consideration the unimportance and the situation of the site, the price fetched is reported to be reasonable

3 The purchaser deposited 25 per cent of the purchase money (e Rs 155/- after the close of the sale on 30 5-16 but failed to pay the balance of Rs 1161/5/ before the

sunset of the 15th day ie 14 6 10 but paid on 21 6 1910 He explains that when he brought the money to the Taluk cutchery on the evening of 14 6 10, the treasury was closed and further says that he could not pay the amount till 21 6 10 as the treasury had been closed owing to holidays on account of the marriage of H H the yuvaraja There is no provision in the municipal Regulation of 1906, as regards the procedure to be adopted in the disposal of sites and it is doubtful whether Section 181 of the Land Revenue Code, is applicable in such cases

4 I therefore beg to recommend that Sanction of Government may kindly be accorded to the purchaser

5 At the time of the Sale of this Site, the people that had assembled there, however, requested that Site no 264 measuring 2376 Sq yards which is situated close by, may also be sold, the same was

put up to public auction and knocked down for Rs 150/- to one Swamiah who was the highest bidder though the price realized comes up to 0-1-0 per sq yard against a prevailing rate of 0-4-0 per sq. yard, it is reported to be fair, as the Site is full of pits

6 The facts mentioned in para 3 of this letter apply to this case also

7 I therefore request that Government sanction may also be accorded to the grant of this Site to the purchaser Swamiah under clause 2 of section 40 of the Municipal Regulation

8 In this connection I solicit instructions as to the procedure to be followed in the disposal of these Sites in future.

I have the honour to be

Sir,

Your most obedient Servant

A Chaudhry

President Municipality

By [illegible]

G.R.S. 28] 247

File No 383-10
Serial No 8

Diary No of letter replied to 2949

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT
(Mb,)

Dy , the 21 7 1911

Date of issue 29.7.11

Signed by [illegible]

READ— Letter No 695 dated the 6th June 11 from the Deputy Comr, Chitaldrug Dt, stating that a portion of the site 259 measuring 3977 1/3 Sq yds and the entire site No 260 measuring 2376 Sq yds in the Dasanagere town were sold by public auction and that the highest bids received were Rs 620 and Rs 160 respectively, and requ

ORDER PASSED—No.

over

SUBJECT.

sanction to the grant of the
the two sites to the highest
bidders and ~~etcetera~~ in-
determine as to the procedure
to be followed in the disposal
of lands within municipal
limits, there being no pro-
vision in the Municipal
Regulation thereof and sections
179 & 181 of the Land Rev. Code
not applying to municipal
lands.

Order thereon No. 900/mc 363-10 & 29/7/11

The sales of the
two sites ~~in favour of~~ to
the highest bidders Vm/ Kamba
Karkaffa and Sivanich
are confirmed.

2) In regard to the pro-
cedure to be followed in the
matter of the sale of Munic.
sites, the Municipal Council
may frame ~~the~~ necessary bye-laws
under

Rel : 383-(9)10 (3)

G.R.S 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation Sheet draft form.)

under section 4.2. (iv) of the Mysore Municipal Regulation We understand the Land Rev. Code may be usefully followed as far as may be in framing the bye-laws

3) The "circular" records are herewith returned

For Secy

Mr Dy Com^r Chitaldrug

Draft returned. He is to proceed para 2 to other deputy Commrs.

Memo No 901-7 829-7 11
Rel 383-10

GPB—10,000—22-2-11